

Frame, Jamie C

From: Spangler, Mark A
Sent: Thursday, June 28, 2018 8:48 AM
To: Sraj, Shafic
Cc: Frame, Jamie C
Subject: RE: Comments regarding proposed: 11 CSR 12, Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows.

Follow Up Flag: Follow up
Flag Status: Flagged

Dr. Shafic,

Your comments have been received and will be reviewed and considered by the Board. Thank you for your interest in this important matter.

Regards,

Mark A. Spangler

Executive Director

West Virginia Board of Medicine

101 Dee Drive, Suite 103

Charleston, West Virginia 25311

Telephone: 304-558-2921 ext. 70005

Facsimile: 304-558-2084



From: Sraj, Shafic <shafic.sraj@hsc.wvu.edu>
Sent: Wednesday, June 27, 2018 10:42 PM
To: Spangler, Mark A <Mark.A.Spangler@wv.gov>
Cc: Emery, Sanford <semery@hsc.wvu.edu>; Vallejo, Manuel <MCVALLEJO@hsc.wvu.edu>; Hubbard, David <dhubbard@hsc.wvu.edu>; McDonough, Edward <bmcDonough@hsc.wvu.edu>; RAHUL GUPTA <rsgu@hotmail.com>
Subject: Comments regarding proposed: 11 CSR 12, Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows.

Dear Mark,

Thank you for the opportunity to offer comments regarding the proposed WV codes 30-3-7(a)(1) and 30-3-16(f). I have reviewed the provided documents and I commend the Board for this effort. Being an International Medical Graduate myself, I am highly interested and I offer the following comments:

My understanding of the proposed rules, fellowship programs do not have to be individually ACGME-accredited to qualify as training permit eligible program, as long as they are part of an approved institution accredited to provide GME. [see below (2.1.4) and (3.2.2)] This is very important for IMG who may be interested in pursuing fellowships and plan to return home afterwards, and thus are not particular about ACGME certifications. Please confirm my understanding. You may also want to clarify ' ... by an institution that is accredited' and consider specifying it as ' accredited by ACGME'

2.1.4. "Educational permit" means an authorization issued to a physician by the Board to practice medicine and surgery under the auspices of ACGME approved graduate medical training or a fellowship in an approved program of post-graduate clinical training sponsored by an institution that is accredited to provide graduate medical education.

2.1.5. "Fellowship" means a period of additional specialized training for a physician who has completed a specialty training program/residency which is sponsored by an institution that is accredited to provide graduate medical education.

3.2. An educational permit authorizes the holder to participate in:

3.2.1. An ACGME approved training program; or

3.2.2. A fellowship in an approved program of post-graduate clinical training sponsored by an institution that is accredited to provide graduate medical education.

Regarding expiry of the permit, please be aware that residencies and fellowships start and expire on different months. I suggest rephrasing the language below to (expires on the last day of the first year of the training program) or something equivalent.

§11-12-5. Permit Renewal.

5.1. An educational permit is valid for a period of up to one year and, except as otherwise provided in this rule, expires on the last day of June following the issuance date of the permit.

I hope you find the above helpful.

Regards,

Shafic A. Sraji, MD

Hand and Upper Extremity Surgery

Orthopaedic Sports Medicine

Assistant Professor

Department of Orthopaedics

West Virginia University



State of West Virginia *Board of Medicine*

KISHORE K. CHALLA, MD, FACC
PRESIDENT

RAHUL GUPTA, MD, MPH, MBA, FACP
SECRETARY

101 Dee Drive, Suite 103
Charleston, WV 25311
Telephone 304.558.2921
Fax 304.558.2084
www.wvbom.wv.gov

ASHISH P. SHETH, MD
VICE PRESIDENT

MARK A. SPANGLER, MA
EXECUTIVE DIRECTOR

July 25, 2018

VIA ELECTRONIC MAIL ONLY

Shafic Sraj, M.D.

Shafic.sraj@hsc.wvu.edu

Dear Dr. Sraj:

The West Virginia Board of Medicine has received and considered your comments on its proposed legislative rule relating to educational permits, 11 CSR 12. I am writing on behalf of the Board to confirm your understanding that fellowship programs do not have to be individually ACGME-accredited as long as they are part of an approved institution accredited to provide graduate medical education. The Board considered changing the language of 2.1.5 to clarify that accreditation is offered by ACGME, however it ultimately elected not to make the change to keep the language in align with the statutory language of W. Va. Code 30-3-16(c)(5)(b).

The Board also carefully considered your comment regarding the expiration of educational permits. You indicated that residencies and fellowships start and expire on different months. Because of this you suggested a modification of expiration period so that an educational permit will expire on the last day of the first year of the training program. The Board's goal with establishing a set date of expiration for all educational permits is administrative efficiency and uniformity of process. All individual licenses issued by the Board expire on the last day of June in the year of expiration. The Board elected to use this date for the expiration of educational permits to align the expiration and renewal processes for permit holders and licensees. Coincidentally, this date also aligns with the program end date for the majority of individuals who will be utilizing the permit process.

Thank you for your thoughtful review of the Board's proposed rules. The Board is grateful for the time and effort you took to provide these thoughtful comments. The agency-approved version of the educational permit rule, 11 CSR 12, will be filed with the West Virginia Secretary of State's Office this week.

Sincerely,

Mark A. Spangler

Frame, Jamie C

From: Spangler, Mark A
Sent: Monday, July 09, 2018 4:30 PM
To: Dr. John A. Wade
Cc: Frame, Jamie C
Subject: RE: Proposes Board of Medicine Rules

Dr. Wade,

Your comments have been received and will be reviewed and considered by the Board. Thank you for your interest in this important matter.

Regards,

Mark A. Spangler
Executive Director
West Virginia Board of Medicine
101 Dee Drive, Suite 103
Charleston, West Virginia 25311
Telephone: 304/558-2921 x 70005
Facsimile: 304/558-2084

The information contained in this electronic message is legally privileged and confidential under applicable law and is intended only for the use of the individual or entity named above. If the recipient of this message is not the above-named intended recipient, you are hereby notified that any dissemination, copy or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify the West Virginia Board of Medicine, (304) 558-2921, and purge this communication immediately without making any copy or distribution.

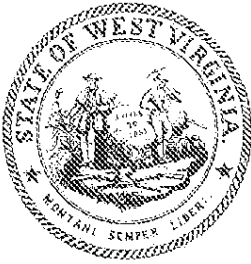
-----Original Message-----

From: Dr. John A. Wade <jwade@pvalley.org>
Sent: Monday, July 09, 2018 7:43 AM
To: Spangler, Mark A <Mark.A.Spangler@wv.gov>
Subject: Proposes Board of Medicine Rules

Good Morning Mark,
Dr. Wade wanted me to email you and tell you he is fine with the Proposed Board of Medicine Rules.

--

Thank you,
Melissa A. Brandon
CMC, CMOM, CMCO



State of West Virginia

Board of Medicine

KISHORE K. CHALLA, MD, FACC
PRESIDENT

RAHUL GUPTA, MD, MPH, MBA, FACP
SECRETARY

101 Dee Drive, Suite 103
Charleston, WV 25311
Telephone 304.558.2921
Fax 304.558.2084
www.wvbom.wv.gov

ASHISH P. SHETH, MD
VICE PRESIDENT

MARK A. SPANGLER, MA
EXECUTIVE DIRECTOR

July 25, 2018

VIA ELECTRONIC MAIL ONLY

John A. Wade, M.D.
jwade@wvvalley.org

Dear Dr. Wade:

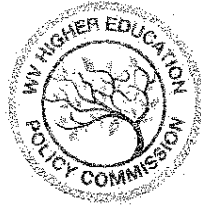
Thank you for your taking the time to review the Board's proposed rules which were recently out for comment. The Board is grateful for the time and effort you took to review the rules and provide feedback. The agency-approved versions of 11 CSR 1A and 11 CSR 12 will be filed with the West Virginia Secretary of State's Office this week.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mark A. Spangler".

Mark A. Spangler

Michael J. Farrell, Esq.
Chair



Carolyn Long
Interim Chancellor

West Virginia Higher Education Policy Commission

1018 Kanawha Boulevard East, Suite 700 • Charleston, West Virginia 25301

(304) 558-2101 phone • (304) 558-1011 fax

www.wvhepc.edu

July 23, 2018

Mark Spangler, Executive Director
West Virginia Board of Medicine
101 Dee Drive, Suite 103
Charleston, WV 25311

Dear Mr. Spangler:

The West Virginia Higher Education Policy Commission submits the following comments to the proposed rule "Permitting and Disciplinary Procedures: Educational Permits for Graduate Medical Interns, Residents and Fellows." We submit these comments also on behalf of the graduate medical education programs at Charleston Area Medical Center, Marshall University School of Medicine, and West Virginia University School of Medicine. The Commission's Division of Health Sciences worked collaboratively with the programs to draft the comments below.

1. There is an error in §11-12-2.1.1., the full name of the ACGME is the Accreditation Council for Graduate Medical Education.
2. We suggest adjusting §11-12-5.3.2. to remove the requirement that the Program Director submit verification that the applicant is in good standing. This section already requires the Program Director to submit a verification that the applicant is under contract, and we believe the contracting standard to be sufficient. We have looked at educational permit programs in other states, and many states do not require any documentation on whether the resident is in good standing. Many of the state rules we reviewed require the Program Director to certify information related to the resident's appointment such as the institution name, program name, program address, and the resident's appointment dates.
3. In §11-12-9.3, we believe that the reference to "reciprocal residency permit" should be changed to "reciprocal educational permit."

If any clarification or further information is needed, please contact Laura Boone, Senior Director of Health Sciences at 304.558.0530 or laura.boone@wvhepc.edu.

Sincerely,



Carolyn Long
Interim Chancellor

Cc: Laura Boone, JD, Senior Director of Health Sciences
Sharon Hall, MS, President, CAMC Institute
Norman Ferrari, MD, Vice Dean for Education and Academic Affairs, West Virginia
University School of Medicine
Manuel Vallejo, MD, Assistant Dean for GME, West Virginia University School of
Medicine
Paulette Wehner, MD, Senior Associate Dean for Graduate Medical Education,
Marshall University School of Medicine



State of West Virginia *Board of Medicine*

KISHORE K. CHALLA, MD, FACC
PRESIDENT

RAHUL GUPTA, MD, MPH, MBA, FACP
SECRETARY

101 Dee Drive, Suite 103
Charleston, WV 25311
Telephone 304.558.2921
Fax 304.558.2084
www.wvbom.wv.gov

ASHISH P. SHETH, MD
VICE PRESIDENT

MARK A. SPANGLER, MA
EXECUTIVE DIRECTOR

July 25, 2018

VIA ELECTRONIC MAIL ONLY

Ms. Carolyn Long
Carolyn.Long@wvhepc.edu

Dear Ms. Long:

The West Virginia Board of Medicine has received and considered the comments you submitted on its proposed legislative rule relating to educational permits, 11 CSR 12. The Board extends its appreciation to the West Virginia Higher Education Policy Commission, and the graduate medical education programs at Charleston Area Medical Center, Marshall University School of Medicine and West Virginia University School of Medicine for the comments you provided on July 23, 2018. After careful consideration, the Board has elected to incorporate the changes proposed by your comments into the agency-approved rule filing.

Thank you for your thoughtful review of the Board's proposed rules. The Board is grateful for the time and effort you took to provide these thoughtful comments. The agency-approved version of the educational permit rule, 11 CSR 12, will be filed with the West Virginia Secretary of State's Office this week.

Sincerely,

Mark A. Spangler

Cc: Laura Boone, J.D.
Sharon Hall, M.S.
Norman Ferrari, M.D.
Manuel Vallejo, M.D.
Paulette Wehner, M.D.